

REMARKS

The claims have been amended to make editorial changes and correct inadvertent errors without changing the claim scope. Claims 5 and 6 have been added based on the disclosure at pages 7 and 10 in the application.

Entry of the above amendments is respectfully requested.

Antecedent Basis Issue

On page 2 of the Office Action, in paragraph 1, the Examiner indicates that there is insufficient antecedent basis for the limitation “represented by formula I” in line 4 of claim 4, and that formula I should be described fully in this independent claim.

In response, Applicants have amended claim 4 to fully describe formula [I]. Accordingly, Applicants submit that this rejection has been overcome, and withdrawal of this rejection is respectfully requested.

Art Rejection

On page 2 of the Office Action, in paragraph 3, claims 1-4 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over each of Ueno (5,786,523) and Ueno (6,409,812).

In response, Applicants note that as the Examiner indicated, the compound of formula [I] of the instant application is disclosed in USP 5,786,523 and USP 6,409,812. USP 5,786,523 discloses that the naphthol derivative can be used for manufacturing photosensitive material

(column 1). USP 6,409,812 discloses that an azo compound obtainable from the naphthol derivative can be used as charge generating material (column 10, lines 42-51).

However, Applicants submit that these references are silent about using the compound as a charge control agent for electrophotographic toner.

The charge generating material in photosensitive material is a material which generates a charge by the action of light.

In contrast, the charge control agent for electrophotographic toner of the present invention generates a triboelectric charge. That is, the agent generates an electrostatic charge by the action of a frictional force upon contacting with a carrier or a charge providing device. The charge generating material or a material for manufacturing photosensitive material in the cited art and the charge control agent in the present application are completely different technical ideas.

Applicants submit that it is also apparent from the disclosure of the '812 patent that the azo compound, but not the naphthol derivative, can be used as a coloring agent for an electrophotographic toner, and the toner may contain a charge control agent which controls triboelectricity of the toner (see column 8, lines 30-48).

Applicants submit that one of ordinary skill in the art would not have been motivated to use the compound, which had been useful as charge generating material in photosensitive material, for a charge control agent used in toners.

Thus, Applicants submit that the present invention is neither anticipated by nor obvious over the cited art, and withdrawal of these rejections is respectfully requested.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/511,097

Attorney Docket No. Q84148

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

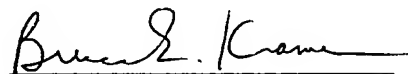
Respectfully submitted,

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